

ORIGINAL

(Rev. 5.05)

**FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983****IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

(1) Daniel S. Green 320086
 (Name of Plaintiff) (Inmate Number)
Dept. Correction center
1181 Padback Rd. Smyrna Del 19977
 (Complete Address with zip code)

(2) N/A
 (Name of Plaintiff) (Inmate Number)

N/A
 (Complete Address with zip code)

(Each named party must be listed, and all names
must be printed or typed. Use additional sheets if needed)

vs.

1,2 (1) Redcliffe, Charles / Bedford Apr
 3,4 (2) Lyle Bryant / Horace Duggins
 5,6 (3) Cpl. Williams / Cpl. Danelli
 (Names of Defendants)

(Each named party must be listed, and all names
must be printed or typed. Use additional sheets if needed)

I. PREVIOUS LAWSUITS

- A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

Daniel S. Green v. First correctional medical
LLC. 04-027-KAT Jan 13, 2004
Judge Kent A. Jordan

05 - 549

(Case Number)

(to be assigned by U.S. District Court)

CIVIL COMPLAINT

• • Jury Trial Requested



II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

- A. Is there a prisoner grievance procedure available at your present institution? • ☒ Yes • • No
- B. Have you fully exhausted your available administrative remedies regarding each of your present claims? • • Yes • • ☒ No

C. If your answer to "B" is Yes:

1. What steps did you take? _____

2. What was the result? _____

D. If your answer to "B" is No, explain why not: When I Plaintiff ask for
a grievance do said they don't have none, when I
Did set one they said it was passed the seven day limit

III. DEFENDANTS (in order listed on the caption)

(1) Name of first defendant: Radcliffe Charles
Employed as Correction officer at Howard R. Young Institution
Mailing address with zip code: 1301 E. 12th St. Wilm. Del. 19809

(2) Name of second defendant: Berndford Ape
Employed as Correction officer at Howard R. Young Institution
Mailing address with zip code: 1301 E. 12th St. Wilm. Del. 19809

(3) Name of third defendant: Lyle Bryant
Employed as Correctional officer at Howard R. Young Institution
Mailing address with zip code: 1301 E. 12th St. Wilm. Del. 19809

(List any additional defendants, their employment, and addresses with zip codes, on extra sheets if necessary)

4.) Name of fourth defendant: Horace Duggins

Employed as correction officer at Howard R. Young Institution
mailing address with zip code: 1301 E. 12th St. Wilms. Del. 19809

5.) Name of fifth defendant: Cpl. Williams

Employed as correction officer at Howard R. Young Institution
mailing address with zip code: 1301 E. 12th St. Wilms. Del. 19809

6.) Name of sixth defendant Cpl. Donelli

Employed as correction officer at Howard R. Young Institution
mailing address with zip code: 1301 E. 12th St. Wilms. Del. 19809

IV. STATEMENT OF CLAIM

(State as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets of paper if necessary.)

1. On 8-23-04 I was handcuffed by C/O Balli then given over to GRT team Defendants. My hand was already injured from another time I told them this, I was then pick off the floor from a standing position by cuffs by defendants and was handled, defendants on way to medical and disciplinary area was hitting me in head with shield and forcing my arms to the point they wouldn't go. From medical to disciplinary area where I was to be unhandcuffed I was told to put one hand on my head when one cuff was off I told the defendants I can't move my hand or arms because
2. of the excessive use of force they used bring me down and do to first injury to hand, they then came on me one using extreme force on my bad hand the other smashing my head into the desk the other punching me this should all be on video before door was shut and locked on 1-24-05 Cpl. Williams and Cpl. Danelli go to next page.

V. RELIEF

(State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. I would like charges to be pressed against C/O's for there use of force that is and was unnecessary.

statement of claims

was called to a cove, epl. williams was there first, when ask
 elo what happend, he was told, I Plaintiff had my back to
 epl. williams, he the grab me by my collar out of the cell
 in ~~the~~ door way with my hands up in the air, spins me
 around and slams me on the table, I tell him I have
 a bad left hand, He cuffs me with extra force, now at
 this time elo now epl. Danelli comes and says "O this
 guy" he then pulls me from around the table slams me
 on the floor were I am then kick punched then pick up by
 cuffs slamed into wall by out cove, door opens pick up
 slamed in to floor in out cove were I Plaintiff have 5 clo's
 on me two on my legs two with there knees in my back
 and one standing watching, this was a done befor QRT
 team was in area with video, on way to medical I was
 then man handled, left medical, then was taken back to
 medical because of Injuries were I was submitted for three
 days were I lost feeling in left hand from little finger to
 ring finger and risk this is all on video and medical records
 witch I will give later for both 8-23-04 and 1-24-05.

2. For both assaults I would like 1.5 million for what they did to my Injured left hand causing insult to Injury and more Damage and for the pain and Suffering And the mental state they Put me through.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 15th day of July, 2005.

Daniel S. Gue
(Signature of Plaintiff 1)

(Signature of Plaintiff 2)

(Signature of Plaintiff 3)

IM Daniel S. Green

SBI# 320086 UNIT 17

DELAWARE CORRECTIONAL CENTER

1181 PADDOCK ROAD

SMYRNA, DELAWARE 19977



United States Court
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Wilmington Delaware
19801

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13827

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